

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

**WILLIAM JOSEPH WEBB JR.,
PLAINTIFF,**

CIV. ACT. NO. : 07-31-GMS

V.

**FIRST CORRECTIONAL MEDICAL,
ET. AL.,
DEFENDANTS.**

JURY TRIAL REQUESTED

**MOTION TO COMPEL DELAWARE DEPT. OF CORRECTIONS TO RELEASE
PLAINTIFF FROM THEIR CUSTODY.**

Comes now, Plaintiff, William Joseph Webb Jr. requesting the Court to grant His MOTION TO COMPEL DELAWARE DEPT. OF CORRECTIONS TO RELEASE PLAINTIFF FROM THEIR CUSTODY to be heard before the Court at its earliest convenience and in support the following cause is shown:

1. This motion is being filed in good faith.
2. Correctional Medical Services is a defendant in the matter, along with State Officials which causes a conflict of interest to Plaintiff where Plaintiff can no longer trust His health and safety to the hands of people who have again violated Plaintiff's rights to adequate medical care where His temperature has again risen to the high of 104.8°F, which is almost legally dead.
3. On September 17, 2007, Plaintiff was sent to Kent General Hospital from Delaware Correctional Center without adequate medical care which allowed His temperature to rise to 104.8°F, the Plaintiff is most likely now suffering brain damage as a result in which testing needs to be done immediately to see the damage and a treatment plan to minimize the damage.
4. Plaintiff can no longer trust the Delaware Department of Corrections with not even His property in which without Due Process and regards for His paperwork have either been



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destroyed or allowed to be stolen, confidential and very important documents not only to this litigation, but to Plaintiff's criminal case, 06-734-GMS, and college education.

5. Release of the Plaintiff would resolve all of the animosity of the conflict of interest to have a Defendant in a civil litigation to keep continuous wrongdoing to the Plaintiff which could prove deadly.
6. There is no other possible remedy available to Plaintiff where CMS is the medical provider for all of Delaware's prisons, and release of Plaintiff into society would pose no threat to anyone, and Plaintiff would be able to get His own medical insurance and protect Himself.
7. Plaintiff is now suffering emotional distress where if He can't trust the Delaware Department of Corrections with His health and safety He will have to protect Himself by killing all those responsible for these actions.

RELIEF REQUESTED: The Honorable Court issue an order to compel the Delaware Department of Corrections to release Plaintiff from their custody.

Dated: October 16, 2007

Respectfully Submitted,



**William Joseph Webb Jr.
#256056 / D/EF14B
1181 Paddock Road
Smyrna, DE 19977**

Certificate of Service

I, William J. Webb Jr. hereby certify that I have served a true and correct cop(ies) of the attached Motion to Compel Dept. of Corr. to release Plaintiff from their custody Upon the following parties/persons:

To: Catherine Damavandi
820 North French Street
Sixth Floor
Wilmington, DE 19801

To: Patrick G. Rock
913 Market Street
Ste. 800
Wilmington, DE 19801

To: First Correctional Medical
205 W. Giaconda Way
Ste. 115
Tucson, AZ 85704

To: Dr. Ali
1301 E. 12th St.
Wilmington, DE 19809

BY PLACING SAME IN A SEALED ENVELOPE, and depositing same in the United States Mail at the Delaware Correctional Center, Smyrna, DE 19977.

On this 16 day of October, 2007



William J. Webb Jr. #256056